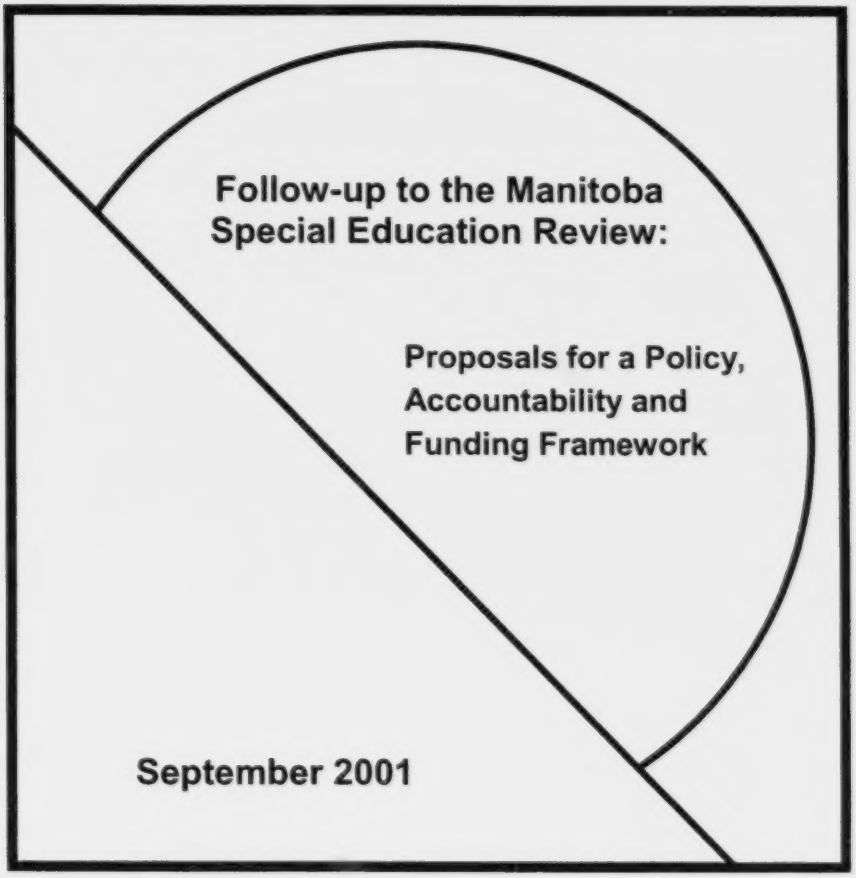

Manitoba
Education,
Training
and Youth

SUMMARY

The Manitoba Government is planning important changes to Special Education for September 2002. These changes reflect the government's commitment to making sure that the education system meets the needs of all Manitoba children. The planned changes include:

- a clear statement of the services that the government is committed to providing to all Manitoba students
- a requirement that parents of students with special needs be involved in planning the student's education and assessing the school's success in meeting the student's needs
- changes in the way special needs programs are funded

These proposals move the Manitoba education system further down a road that it has been travelling for two decades. Today, students with special needs are rarely isolated in special schools or special classrooms. However, the level of support that these students receive varies across the province. And while students are not excluded from the classroom, many of them are still labelled and treated in a manner that unnecessarily stresses the ways in which they differ from other students.

These proposed changes build on the recommendations of the 1999 Manitoba *Special Education Review*. That review spent two years studying special education in Manitoba. It heard from parents, teachers, administrators, government officials, and professionals in the field. The *Review* concluded that the best special education policy was one that was inclusive and provided a range of supports for students. Under an inclusive policy the first choice is to educate students in regular classrooms in neighbourhood schools with students of the same age. This approach recognizes that all students require supports at some point during their education.

The changes described in this document are proposals. They are not final answers. All Manitobans, especially parents, teachers, school administrators, and professionals in special education, are encouraged to comment on these proposed changes.

BACKGROUND INFORMATION

Education in Manitoba

The Manitoba Government is responsible for public education in the province of Manitoba. In Manitoba *The Public Schools Act* and its regulations outline the legal requirements of the education system.

The Manitoba Government has also created a Department of Education, known as Manitoba Education, Training and Youth. The Department sets guidelines as to how schools are to obey *The Public Schools Act*.

Manitoba public schools are run by local school divisions and school districts. They are responsible to locally elected school boards. The boards must live up to *The Public*

Schools Act and its regulations. The Manitoba Government provides grants and policy direction to the schools divisions and districts. When this system is working well, Manitoba Education, Training and Youth sets overall goals and provides funding, while the school boards and divisions have the flexibility to make sure that the schools are meeting local needs.

Special Education

Special education refers to the educational and support services provided to students whose need has been identified by special tests and assessments. These services include such supports as special equipment, resource teachers, modified or enriched course content, and individualized programming.

Funding Special Education

There are three levels of special needs support available to schools from the Manitoba Government. Known as Level I, Level II and Level III Special Needs, these programs provide assistance for students with mental and physical disabilities, learning disabilities, emotional/behavioural disorders, hearing loss, visual impairment, psychosis, and autism.

In addition to these categories, the government also funds programs that support early behaviour intervention, early literacy, students at risk, school counsellors, administrators, clinicians, and students who require complex medical procedures.

The Manitoba government has adopted two main approaches to funding special education: (1) student-specific funding and (2) block funding.

Student-specific funding is funding that is provided on a student-by-student basis. The school division applies for funding by demonstrating to the Manitoba Government that a student fits into a specific funding category. After this identification process is completed, the division receives a fixed amount of money. The expectation is that the money is to be spent on the student for expenses such as personnel, special materials and equipment, and therapy. In Manitoba, most schools have used this money to hire teacher assistants to work with the student. School divisions receive student-specific funding for students who are identified at Level II, Level III, or who require complex medical procedures.

Block funding works on the principle that each division is likely to have a certain number of students who have special needs. Instead of insisting that divisions go through the time-consuming process of applying for individual grants the Manitoba Government provides divisions with a combined (or block) grant. This grant is to be spent on meeting certain special needs. The size of the grant is based on such factors as the number of students in the division. Block funding is provided for students who are assessed at Level I, and to support early behaviour intervention and programs for students at risk.

Accountability

An accountability process helps make it clear that the special education system is providing the supports that students have a right to receive. Accountability is provided in

the current system through Annual Division Action Plans (ADAP) for Special Education and Individual Education Plans (IEP).

The ADAP describes the special needs students in a division, the services provided, and anticipated changes.

The IEPs are developed for students who are funded at Levels II and III, and for students whose programs are significantly different from the typical curriculum.

MANITOBA SPECIAL EDUCATION REVIEW

The *Special Education Review* identified a number of areas for improvement in this system. Students may not always receive the services they need, parents are not always properly involved in the planning of their child's education, and the level of support across the province is not consistent. Three areas where the report recommended improvements:

- The right to appropriate services
- Accountability
- Funding and programming

The right to appropriate services

Special Education services are not discussed in *The Public Schools Act*. Manitoba is the only province that has not clearly spelled out the educational rights of children with special needs. The *Review* stated that it was important that the Manitoba Government develop minimum standards for special education.

Funding and programming

The *Special Education Review* recognized that the current student-specific funding model labels students in a way that could be hurtful. It recommended that the Level I, II, and III, categories be redefined to focus on the student's needs, rather than focussing on student disabilities.

According to the *Review* funding criteria and identification practices were not always consistent or appropriate. The need to do better in meeting the needs of students with emotional and behaviour disorders was stressed.

Accountability

The *Special Education Review* found that it was not possible to assess how effective current programming was because there are no clear special education goals or targets. Nor is there a process to determine if schools are meeting their goals. It also identified a number of problems with the Annual Division Action Plan and the Individual Education Plan.

- Annual Division Action Plans do not always provide a clear picture of programs and services nor do they always set goals or measure progress to those goals.
- Outcomes were not always monitored. Although the Manitoba Government recommends that IEPs be developed for all students with special needs and that parents be involved in the development of these plans, at present IEPs are not mandatory, nor do divisions have to involve parents in developing them. Furthermore, IEPs currently do not always set measurable goals or measure success in meeting those goals.

IMPLEMENTING THE SPECIAL EDUCATION REVIEW

Based on the *Special Education Review*, additional research, and consultation with educators and parents in all areas of the province, Manitoba Education, Training and Youth has developed the following proposed changes.

The right to appropriate services

The Department proposes changing *The Public Schools Act* to make it clear that all students have a right to an appropriate education. The *Act* will also spell out measures that will help parents make sure that their child's needs are being met.

It is proposed that the Manitoba Government:

- Amend *The Public Schools Act* to give all students the right to an appropriate education.
- Define "appropriate education" in regulations and policy to include:
  - the right to participate in either the provincial curriculum or, when necessary, in a personalized curriculum which is described in an Individual Education Plan (IEP);
  - the right to student and parent participation in IEP decisions; and
  - the right to a process to resolve disagreements about student services.

  These changes would make the IEP into an effective tool in planning, delivering, and monitoring services.
- Describe student services and minimum service standards in regulations and policy so that schools, students and parents know what supports are expected.

Accountability

Along with the proposed changes to the IEP described above, accountability will be improved by replacing the ADAP with improved School and Division Plans. The IEPs and the School and Division Plans would all focus on expected results. They would include a description of needs, goals, planned actions and planned evaluation methods.

School or division staff would be responsible for seeing that the plans are developed and evaluated. Each plan would have meaningful involvement from students and parents. Students, parents and the larger community would be involved in developing the School

and Division Plans. The people involved in creating each type of plan would also evaluate that plan's success at least once a year.

School planning

Schools and divisions currently develop school and division plans. However, these plans do not necessarily discuss services for special needs students. The ADAP focusses on special needs, but it does not set goals and it is not used in a consistent manner across the province. This split in the planning process does not encourage an inclusive approach to education.

The Manitoba Government is proposing that all schools and school divisions be required to include planning for student services and special needs students in their School Plans. This planning process will consider all student special needs, including those of gifted and talented children, and involve annual evaluation of outcomes.

The Department will provide information and training to educational partners so that they can implement these policies. This process will replace the ADAPs.

After a phase-in period, schools and divisions would be required to integrate plans for student services within their general plans. During the transition period, schools and divisions would be allowed to develop separate plans for student services. However, the student services plans must focus on expected results and include a description of needs, goals, planned actions and planned evaluation methods. Students, parents, and the larger community must be involved in creating these plans.

Funding and programming

The Manitoba Government favours an inclusive approach to funding. The most inclusive approach to funding would be to recognize that all students require programming to meet special needs at some point in their educational career and simply provide school divisions with a student services grant. The division would then use that funding to meet the needs of all students. There would be no division of students into those with and without special needs.

For this reason the Manitoba Government is proposing that a number of currently existing block grants be combined into a single Student Services Grant. This grant will be based on both the number of students and an assessment of social and economic factors in each division.

The *Special Education Review* also recognized that schools are experiencing difficulty in providing programming for students with emotional and behaviourial disorders. This is particularly the case for those students who have been classified at Level II very severely emotionally/behaviourally disordered (Level II EBD). Unlike other special needs categories, this classification does not correspond with existing medical or psychological categories. The research in this area suggests that the most effective way in which to address these behaviourial issues is as part of overall school programming, rather than by programming that focusses on individual students. The Manitoba Government is proposing that funding for students who are currently being assessed at Level II EBD be included as part of the Student Services Grant.

This is an important change. If this change goes ahead, it means that:

Students will no longer be identified as Level II: very severely emotionally/behaviourally disordered (Level II EBD). This is the area where assessment across the province has been the least consistent – behaviour that in one division is identified as severely disordered is often assessed in a very different way in a different division. Parents often find that in order for their child to receive supports, they must participate in a process that describes the child's behaviour in a very negative manner.

Schools will be able to choose how best to support students. The new Student Services Grant will still include money to support Level II EBD students. The amount will be at least equal to the current system. But schools will no longer have to make applications before supports can be provided. There is nothing in this policy change that prevents schools from providing the same sorts of services to Level II EBD students that they have in the past if the school believes those services are the best way to meet the student's needs. However, schools will also be able to use the money to provide services in ways that they think are better.

The future of student-specific funding

It is proposed that consideration be given to further simplifying special needs funding. The Government recognizes that student-specific grants assure parents that specific resources are being targetted to meeting their child's special needs. It is their clearest way of holding the system accountable. It would not be responsible to change this system until it is clear that the new accountability provisions discussed above have increased parental involvement and improved accountability.

If these accountability measures are successful, it is proposed that more student-specific grants would be funded out of an expanded Students Services Grant. At the very earliest, this change would not take place until the 2005-2006 school year. It should not happen at all if it is concluded that the new accountability measures do not provide sufficient protection to children with special needs.

A TIMETABLE FOR CHANGE

The proposed changes would take place in three stages.

Stage 1: 2002-2003 School Year

- Several school divisions/districts would test the new Student Services Grant which replaces Level I, Level II (EBD) Special Needs, and funding for students at risk and early behaviour intervention programs.
- The remaining grants that support special needs would remain in place
- The mandated IEP and School and Division Plans would begin.

Stage 2: 2003-2005 School Years

- All schools and districts would receive the Student Services Grant.
- The remaining grants that support special needs would remain in place.
- IEPs would be fully mandated. Planning for special needs would be included within School and Division Plans.

Stage 3: 2005-2006 School Year and Beyond

- The mandated IEP and School and Division Plans would be evaluated. If they proved successful in improving accountability, other grants for special needs would be phased out in favour of an expanded Student Services Grant.

CONCLUSION

Manitoba must ensure that students with special needs have equal access to the benefits of publicly funded education. The proposed changes are aimed at providing a range of supports that will allow all students to receive an appropriate education.

Your feedback and opinions are very important. Please take the time to review the document and provide feedback if at all possible by October 31, 2001. There is a longer version of these proposals if you want more detail. For more information or to provide feedback please contact:

Special Education Review Initiative
7–1577 Dublin Avenue
Winnipeg, MB R3E 3J5

Fax: 204-948-2291
Phone: 204-945-2392

Or email John VanWalleghem at: jovanwalle@gov.mb.ca

Manitoba
Education,
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and Youth

PURPOSE

The 1999 *Manitoba Special Education Review* (the *Review*) made broad recommendations for changes in policy, accountability, and funding. The following paper proposes more specific actions. It will allow educational partners to react and suggest improvements.

Manitoba Education, Training and Youth (the department) has committed to a philosophy of inclusion. That commitment encourages a continuum of supports for students with diverse needs. Students should receive the supports they need regardless of placement, whether they have disabilities or are academically gifted, whether their needs are long- or short-term. The department's commitment means fostering success for all learners while particularly "improving outcomes for less successful learners" (a departmental priority). This direction is also consistent with the "Disability Strategy Paper" released by the Minister for Disabilities, particularly with its vision of "full citizenship."

SUMMARY OF PROPOSALS

In developing the proposals in this paper, the department addressed two challenges:

1. How to recognize and meet the special needs of children and youth without focussing on deficits and labels. This is an issue of balance between recognizing special needs and following a philosophy of inclusion.

2. How to ensure adequate supports for an improved school system with finite resources. This is an issue of applying funding in the most effective manner and making the best choices among the available alternatives.

There is clearly a need to do things differently. The *Review* described and the department recognizes the inadequacies of current supports for students with special needs. This document proposes ideas for improvements, not final answers. It promotes discussion about the best approaches and signifies that changes are imminent. It is the final step leading to decisions and action.

The three areas—policy, accountability and funding—are interdependent. Policy provides a framework for how supports should be provided. The accountability process provides checks and balances to ensure that appropriate supports are delivered. Funding provides resources for delivering the supports. In recognition, the proposed framework has the following three broad goals:

1. A continuum of supports is available to address the needs of all children and youth so that every student receives an appropriate education.

2. Information for effective decisions is available to educators, parents[1], students, and community members.

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[1] The term "parent" is used throughout this document to refer to parents, guardians, families or others who have responsibility for caring for students.

3. Human and fiscal resources address the changing needs of all students.

A brief synopsis of the framework is presented below and later sections of this paper describe the proposals in greater detail.

Policy

The department proposes policy that will clearly connect legislation to practice. The components of the new policy framework will include the following:

- A legislated commitment to appropriate education for all students;
- Regulations for developing written Individual Education Plans (IEPs) for students, including meaningful parent and student involvement, annual evaluation, and the creation of a resolution process when there is disagreement about placement or programming;
- Minimum service standards for supporting students with special needs and their parents;
- Clearer guidelines for contentious issues such as instructional placement and the use of discipline procedures with students with disabilities.

Accountability

- To enhance accountability and complement funding changes, Individual Education Plans (IEPs), School Plans and Division Plans should be outcomes-oriented and subject to evaluation. In addition to the legislated IEP process, the department will enhance school and school division planning processes. Students, parents and community members would be involved in the levels of planning that affect them. The planning processes will (a) consider all student special needs, (b) encourage inclusion and (c) involve annual evaluation of outcomes. The department will provide support and training to educational partners, review Division Plans and review a sample of School Plans.

Funding

For the 2002–03 school year, the department will pilot a funding model that is more supportive of inclusion and reflects the relationship of socio-economic factors to student special needs. It will combine four existing grants (Level I Special Needs, Level II Special Needs for the category of very severe emotional/behavioural disorders, Students At Risk, and Early Behaviour Intervention) into a Student Services Grant. The formula will be based on enrollment with an equity adjustment based on socio-economic indicators. The pilot will involve volunteer school divisions that will plan to meet local student services needs within the limits of available funds. The criteria for the remaining categories of Special Needs Levels II and III funding will be reviewed and redefined.

For the 2003-04 school year, the revised Student Services Grant would be applied to all schools and divisions/districts. It would be evaluated over 2-3 years.

Subsequently if evaluation is positive, other categorical grants related to student services could be included under the Student Services Grant.

The remainder of this paper describes the proposals in greater detail. It ends with information about how educational partners can provide feedback on the proposals and suggestions for improving them.

INTRODUCTION

Definitions

While some terms will be clear by their context, key terms are defined here.

Accountability

The processes by which schools and educators demonstrate that their services are meeting planned outcomes for student learning and support.

Adaptation

An instructional strategy for individual students where there is a planned alteration in the method of instruction, the way a student demonstrates learning, and/or in the assessment of progress. Adaptations accommodate individual learning style while maintaining the student in the provincial curriculum.

Funding

The model under which the province provides schools boards with a share of funds; in this case, it is funding for students with special needs.

Individualized Programming

An instructional strategy that recognizes the needs of the very few students whose cognitive disabilities are so significant that they will not benefit from participating in provincial curricula. The student's support team develops instructional content that is student specific.

Modification

An instructional strategy for individual students where there is a reduction in the number, essence or content of the curricular outcomes for a course or instructional unit. The student's support team alters the provincial curriculum to accommodate the (dis)abilities of the student.

Policy

For this document, policy is defined as that broad set of documents that the government publishes in order to provide direction to the field. This includes legislative statutes, regulations, policies and procedures, and ministerial letters or directives.

Special Needs

The learner needs that require supports beyond typical classroom instruction in order to benefit from instruction. There are a variety of supports including but not limited to the following: changes in instructional methods or content; availability of personnel with specialized skills; adaptations to the physical or social environment; and specialized equipment or materials. Some supports are required for a short period of time while others may be lifelong. At some time or other, all students have special needs.

Background

Constitutionally, students with special needs have the same rights to a quality education as those without special needs. While practices have improved over the past three decades, there are still significant gaps to be addressed. The *Manitoba Special Education Review* (1999) pointed out various ways in which Manitoba's educational system should improve. Manitoba Education, Training and Youth must provide the framework that will make the educational system more equitable for the full participation of students with special needs.

The Manitoba Special Education Review

The *Review* made 44 recommendations for improving education for students with special needs. The recommendations in the areas of policy, accountability and funding were general in nature. This paper addresses the intent of the *Review* while proposing more specific directions.

Major challenges were embodied in the recommendation that the department retain a policy of inclusion that is supported by a continuum of supports, services and placements. The intent was clear—that students with special needs should experience schooling that is as much as possible like their peers who do not have special needs.

As a starting point, the department has developed a statement on inclusion.

Philosophy of Inclusion

Manitoba Education, Training and Youth is committed to fostering inclusion for all people.

Inclusion is a way of thinking and acting that allows every individual to feel accepted, valued and safe. An inclusive community consciously evolves to meet the changing needs of its members. Through recognition and support, an inclusive community provides meaningful involvement and equal access to the benefits of citizenship.

In Manitoba we embrace inclusion as a means of enhancing the well-being of every member of the community. By working together, we strengthen our capacity to provide the foundation for a richer future for all of us.

In order to make the philosophy more concrete in Manitoba schools, the following principles are proposed.

To make inclusion applicable in Manitoba schools, educators will:

- Create school and classroom communities where all students, including those with diverse needs and abilities, have a sense of personal belonging and achievement;
- Identify and foster practices by which students with a wide range of learning needs can be taught together effectively;
- Enhance, through modelling and instruction, student abilities to deal with diversity;
- Offer students an environment that provides potential for dignified, meaningful relationships;
- Provide each student with appropriate supports, including instructional placements, to develop their personal best in a setting that respects their abilities;
- Help each student contribute to the classroom and school community;
- Develop and maintain competencies for achieving these principles.

Special Needs

This document has particular relevance for children and youth with special needs but what is meant by that term?

The *Review* used the term 'special needs" more than "special education." Special education usually describes instruction for students with disabilities. Special needs is a broader term that refers to any learner need that is not adequately supported by standard delivery of the provincial curriculum. In Manitoba, students with special needs are those who require the following:

- Personalized adaptations to participate in the provincial curriculum (special equipment, transportation, teaching methods, assessments, organizational strategies, time allotments, physical or social environments, etc.);
- Personnel supports beyond the classroom teacher (resource teacher, guidance counsellor, clinicians, therapists, teacher assistants, nurses, etc.);
- Redesigned (modified or enriched) content in their courses; or
- Individualized programming.

The term "special needs" includes students who are identified as gifted and talented, as "at risk" or "struggling" learners, or as having educationally relevant disabilities. The *Review* clearly considered and made recommendations for all those students.

This paper continues the practice of using the term "special needs." There are several advantages:

- It follows the common organizational structure for most school divisions and districts by separating activities into curriculum or student services that address special needs.
- It describes a range of needs that is more diverse than just disabilities.
- It helps educators to understand student needs along two continuums — instructional content and instructional methods.

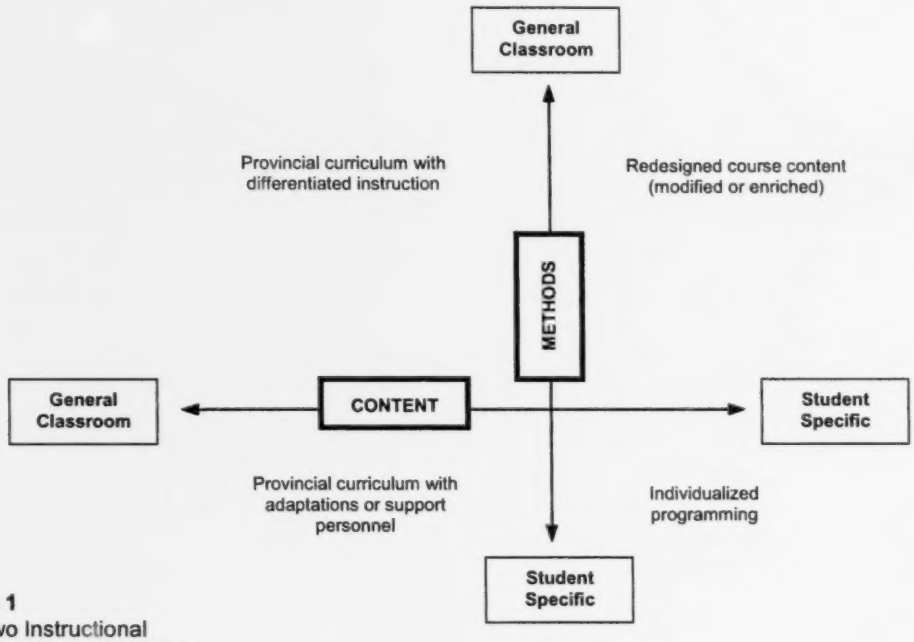

Figure 1
The Two Instructional Continuums in Curriculum

In this model, the majority of students benefit from the provincial curriculum with general classroom content and methods that include differentiated instruction. At any one time, however, some students have special needs—some on a continuous basis, some from time to time, and almost everyone at some point in his or her school career. Some students benefit from general classroom content but require student-specific methods such as personalized adaptations or special personnel supports. Some require redesigned curriculum content. A few students require individualized programming that has both student-specific methods and content. The continuum of supports model helps educators to think in terms of what instructional methods or content a student needs. A commitment to inclusion and the concept of a continuum of supports guide the proposals in this paper.

PROPOSALS

It would have been possible to propose special policy, accountability and funding changes just for students who require "special education." However, practices designed solely for students with disabilities would needlessly emphasize the differences of those students and not contribute to a more inclusive educational system.

This paper takes a different approach by proposing changes that apply to the education of all students. The proposals recognize student diversity and that some students have greater support needs than others. The proposals suggest that a range of supports for all students will support students with special needs in an inclusive manner.

The proposals are derived from substantial research and consultation. Research sources included the *Review* itself, relevant professional literature, and policy and funding protocols from other provinces and countries. Consultations were wide-ranging, both internal and external to the department. Discussions were held with educators and parents in all areas of the province, including three focus groups that represented key stakeholder groups—parents of students with special needs, resource and special education teachers, and student services administrators. The focus groups were presented with most of the ideas that are proposed in this paper and provided valuable feedback that is incorporated in the final version.

At this time, the proposals are simply recommendations. Manitobans should first have the opportunity to reflect and comment on them. Consultation should occur as a step toward action. Manitobans have consistently stated that open discussion is important but getting on to action is even more important and is, in fact, expected in the near future.

POLICY

Background

The *Review* recommended that policy be established and clarified. Criticisms of the current situation included the scarcity of policy and the tendency to allow procedures, such as funding protocols, to serve in place of public policy. While the *Public Schools Act* clearly gives all eligible children and youth the right to "adequate school accommodation," it says nothing about their right to supports for special needs. Currently, student rights to supports would have to be inferred from Canada's or Manitoba's human rights legislation.

On the other hand, the proposed policy should not be too detailed. Effective policy provides a framework for action but allows creative, personalized decisions.

Proposed Changes

- Amend the *Public Schools Act* to give all students the right to an appropriate education.

- Define "appropriate education" in regulations and policy to include the following:
  - the right to participate in either the provincial curriculum or, when necessary, in a personalized curriculum which is documented in and monitored through an Individual Education Plan (IEP);
  - the right to student and parent participation in IEP decisions; and
  - the right to a resolution process when disagreements arise about programs and placement.
- Describe student services and minimum service standards in regulations and policy so that schools, students and parents know what supports are expected.
- Clarify in policy some specific issues such as placement and discipline for students with special needs.

A complete list of policy proposals is appended to this document.

Rationale

Provincial policy starts with legislative statutes. Manitoba requires a clear legal basis for the rights of students with special needs and there seems to be two alternatives for enshrining those rights in legislation. As has been done in other jurisdictions in Canada, there could be specific statements that define and outline the rights of students with special needs. However, this would serve to continue a dichotomous understanding of regular and special education. On the other hand, there could be a broader statement in legislative statute that all students have the right to an appropriate education. Since the broader approach is more inclusive, it is the legislative change proposed in this paper. The remaining proposals—as outlined in the Appendix—either clarify what is meant by "appropriate education" or address issues where educators need some clarification (placement and discipline).

ACCOUNTABILITY

Background

The *Review* recommended creating a program review process with a focus on continual improvement. During the consultations that led to development of these proposals, this area became simply "accountability."

Currently, school divisions and districts are expected to submit an Annual Division Action Plan (ADAP) which is mostly a description of current support services, division/district needs, and planned changes to support services. The ADAP does not require setting measurable goals or evaluation of progress toward those goals.

School planning is currently required but information about student services is not a required component.

At the individual student level, policy guidelines and professional practice create the expectation that Individual Education Plans (IEPs) will be developed and evaluated but there is not a legislated right for students to have an IEP. Thus, there is no mandate that student progress on IEP goals will be effectively evaluated. Many parents and advocates noted that the Special Needs Levels II and III funding is currently the more effective accountability process, since individual applications and parental sign-off are required.

Proposed Changes

The department proposes that Individual Education Plans (IEPs), School Plans and Division/District Plans become the basis for an accountability system. Each plan should be outcomes-oriented and include a description of needs, goals, planned actions and planned evaluation methods. The school or divisional staff would bear general responsibility for developing and evaluating the plan. Each plan would have meaningful involvement from the "clients" — students and parents in all cases, and the larger community in the case of the School and Division Plans. Those same collaborators would evaluate each plan at least annually. In addition, the department would review Division Plans and a sample of School Plans annually. If the reviewed plans are not consistent with departmental policy or evaluation indicates unsatisfactory progress, the department would provide technical support to the school or division.

Mandating IEP development and evaluation would be accomplished through the legislative changes that have been discussed previously.

School and Division Plans would be required and would include planning for student services. A developmental period of three years would be allowed, beginning in 2002. By 2005 schools and divisions would be required to integrate plans for student services within their general plans. During the developmental period, schools and divisions would be allowed to develop separate plans for student services. Divisions might wish to refer to these plans as Annual Division Action Plans. However, the student services plans must have the characteristics of being outcomes-oriented and have "client" involvement. These emphases are key changes from the current ADAP process. The integration of planning for student services within broader School and Division Plans is a second key change from the ADAP process.

Rationale

Accountability is needed at the individual student level, particularly for the students who are most vulnerable due to their special needs. It is readily apparent that the IEP mandated in policy could be the basis for that accountability. As proposed in the policy section, IEP effectiveness would be enhanced through expectations for meaningful student and parental involvement and annual (or more frequent) evaluation. The IEP should complement the accountability processes that apply for all students, such as regular reporting of student progress and teachers being supervised by principals.

Accountability is also needed at the collective level. If students, parents and the community are involved openly in the development and evaluation of the School and Division Plans, there will be accountability to the "clients." If the department reviews those plans and provides technical support for the planning process itself, there will be

accountability to the funder. If the department provides leadership in defining important outcomes and indicators, there will be accountability to policy.

This is another area where creating separate procedures for students with special needs would not fit an inclusive model based on a continuum of services. Integrating planning for student services within School and Division/District Plans should help schools and divisions/districts to think inclusively.

FUNDING

Background

The *Review* made several recommendations regarding funding, including Recommendation D.3.1. that:

> Equity be a primary focus of any revision to the funding model and accompanying funding formulas for special education. Equity and provincial support targets be coupled with expectations of minimum service standards and appropriate accountability processes.

The concept of "equity" in funding means that the students and schools that have greater needs should receive greater supports.

The current funding model has attempted to achieve equity by funding several special categories of need. The largest category has been the Special Needs Categorical Funding which is divided into three levels. Level I is a grant to school boards on the basis of overall enrolment. Levels II and III are grants on the basis of individual students who meet certain criteria. There are other grants for specific types of supports, including but not limited to the following:

- School counsellors, Grades 5–Senior 4,
- Students At Risk,
- English as a Second Language,
- Coordinator and clinician,
- Early identification, and
- Early literacy.

The *Review* recommended adding grants for gifted programming and Kindergarten to Grade 4 school counsellors.

Proposed Changes

The department proposes that funding changes occur in three stages:

Stage 1

- For the 2002–03 school year, several school divisions/districts would voluntarily pilot the use of a Student Services Grant to replace the following current grants:
  - Level I Special Needs,
  - Level II Special Needs category of "emotional/behavioural disorder" (EBD),
  - Students At Risk, and
  - Early Behaviour Intervention.
- Pilot divisions/districts would receive the Student Services Grant without having to submit individual requests for any of the students or areas covered in the plan. The Student Services Grant would allocate the provincial share of student services funding according to a formula that reflects both enrollment and socio-economic indicator factors.
- The first stage of the accountability process would also begin. All schools and divisions/ districts would develop comprehensive plans for student services to support all students from Kindergarten to Senior 4. Plans would consider all student service needs whatever the funding category. Some of the divisions in the funding pilot would be at the early stages of outcomes-oriented planning and some would be more advanced.
- The remaining Special Needs categorical grants would remain in place and continue to require individual applications. The categories and descriptors for Levels II and III funding would be reviewed and redefined to continue the process begun in 2001.

Stage 2

- For the 2003-04 school year, revisions would be made to the Student Services Grant based on review in the pilot sites.
- All schools and districts would implement the revised model and its effectiveness would be evaluated over 2-3 years.

Stage 3

- In the longer term, other categorical grants for special needs could be included in the Student Services Grant. Notably, this might include many of the remaining Level II and III Special Needs categories. Once Individual Education Plans (IEPs) and School and Division/District Plans are fully implemented and subjected to annual evaluation, it might be feasible to incorporate more of the remaining Special Needs categories and other categorical grants into the Student Services Grant.
- The third stage of funding change would occur only after implementation of the policy changes that were described previously and further public consultation.

The funding proposals are summarized in the chart that follows this section. It also includes some changes that have already been made for the 2001–2002 funding year.

Rationale

A revised funding model should support policy such as inclusion, be tied to accountability, and distribute funds equitably. A key decision is whether a major part of special needs funding should continue to be student-specific. Student-specific funding processes emphasize devalued characteristics and detract from the accepting attitude required for effective inclusion. The *Review* recommended retaining student-specific categorical grants but having them based on need rather than on labels. However, it has been impossible to identify any needs-based, student-specific funding model that does not cast disabilities in a negative light. All student-specific models present similar problems.

- Labels eventually become applied to students as in: "He's a Level II student." Labels of any kind encourage stereotyping rather than inclusion and personalization.
- A student-specific funding system is labour-intensive. Each application must be developed at the school level and reviewed at the department level, which detracts from the support time available for students and schools.
- Applications create a negative picture of the student because they describe how a student meets funding standards that are based on devalued characteristics, whether labels or needs.
- Funding models influence program decisions. One hears: "We can't provide supports because he is not Level II funded" or "That's Johnny's teacher assistant." This thinking, driven by the funding model, contributes to a programming rift between the individual student and the class.

Even the apparent strengths of student-specific funding are not truly effective in the Manitoba context. One such factor is accountability. Because there is an individual application for each Level II and III grant, it seems that the department is monitoring and endorsing the program that is provided to those students. In fact, this is not the case since the department approves each grant on the basis of the description of the student, not on the quality of the program.

A second apparent strength of student-specific funding is that school funding can increase in response to population changes. As the number of students with fundable needs increases, so does the number of grants. This does not make more total money available to schools, however, since the department must budget within available resources. It simply dictates how available provincial funds are allocated. If there are greater numbers of students funded at Levels II and III, less funding is available for other areas. There will never be enough funding to meet all the desirable outcomes and needs for all the students in Manitoba. Student-specific funding might seem to distribute it more equitably but that must be weighed against the advantages of other models.

On the other hand, a blocked grant that occurs concurrently with an effective accountability process has several advantages over the current funding model.

- It eliminates problems associated specifically with student-specific funding (see above).
- It allows control of spending at the local level where students are known and resources can be used creatively and efficiently.
- The accountability component, particularly the mandated evaluation of IEP outcomes, helps to ensure that the needs of students with special needs are not ignored.
- The accountability component can target policy priorities, such as inclusion.
- In the proposed changes, the equity correction will be based on socio-economic indicators that have a strong correlation with behaviour problems in children and youth.

There is concern that a blocked grant does not target funds directly to individuals with special needs. Without a concurrent process for accountability, a blocked grant might do a disservice to those students who have been funded through Level II and III Special Needs grants. That is a primary reason why the proposal is divided into three stages. If the accountability proposals described in the previous section do not protect the rights of students with special needs in Stages 1 and 2, the third stage should not be implemented.

There is also the issue of which existing grants to include in a Student Services Grant. The Level I Special Needs grant, the formula portion of the Students At Risk grant, and the Early Behaviour Intervention grant are already block grants for special needs. While Level II Special Needs grants for the category of "very severe emotional/behavioural disorder" (Level II EBD) are provided on a student-specific basis, it is arguable that funding should be blocked for several reasons.

One argument is the problem of identification. Most of the other special needs categories are "developmental disabilities." At their root is an identifiable difference in the development of the body or brain. The child is born with the disability and is diagnosed by a medical doctor prior to school entry. Even the developmental disabilities that are not present at birth are almost always associated with clearly identifiable physical causes such as trauma, severe illness or seizures. The special needs funding categories simply recognize the educational impact of those developmental disabilities. Emotional/ behavioural disorders are different. There is most often no corresponding medical diagnosis based on identifiable physical differences. They are usually identified when there is a mismatch between the child's behaviour and the social environment which does not necessarily mean that there is something inherently wrong within the child. In some cases behaviour is a major issue only at school. In fact, the same child may be identified for funding at one school but not at another because the tolerance levels and skillfulness of staff differ between the two schools. Thus, the criteria for identification are not nearly as consistent from setting to setting as they are for other funding categories.

A second argument for blocking Level II EBD is that effective educational practices point to a better approach to addressing behavioural challenges. The student-specific funding system tends to encourage student by student planning. Additionally, individual funding has tended to become associated with assignment of paraprofessionals to manage behaviour. On the other hand, the most effective practices suggest that: (a) school-wide

and classroom planning for positive social climates and (b) instructing students in appropriate social behaviours are the necessary precursors to effective individual interventions. The funding system should encourage this more global approach.

The chart that follows summarizes the proposed funding changes and the timeline.

Proposed Changes in the Funding Model

Current Grant	Changes for 2001–02	Changes for 2002–03	Changes for 2003-04	Future Changes
Level I Special Needs	Continue	Pilot use of a blocked Student Services Grant. (Requires submission of an outcomes-based plan for student services)	Apply Student Services Grant province-wide	Continue Student Services Grant; incorporate plan for student services in School and Division Plans
Early Behaviour Intervention	Continue			
Students At Risk (formula portion)	Continue			
Recommended grants in *Special Education Review* (gifted/ talented, Grade K–4 counselling	None			
Level II very severely emotionally/behaviourally disordered	Continue			
Level II and III Special Needs	Lengthen approval period, discontinue submission of IEPs	Review and redefine categories and criteria	Continue	Consider including in the Student Services Grant
Other grants related to student services (school counsellors, administrators, clinicians, ESL, etc.)	Continue	Continue	Continue	
Level III Emotional/ Behavioural Disorders	Continue	Clarify as a multi-sectoral planning process; expand eligibility; revise provincial cost share	Continue	Continue
Unified Referral and Intake System	Continue	Continue	Continue	Continue

CONCLUSION

Manitoba must ensure that students with special needs have equal access to the benefits of publicly funded education. The proposed changes to policy, accountability and funding are aimed at fostering a continuum of supports so that all students receive an appropriate education. The proposals are presented so that educational partners can think about them and provide feedback. That feedback will be collated into an action plan for the department. The department's intent is to move ahead on revised proposals in fall 2001.

PROVIDING FEEDBACK

Thank you for taking the time to consider these proposed changes. Consulting you in the early stages of developing policy, accountability and funding plans is an important aspect of the department's efforts to create a more inclusive and equitable educational system in Manitoba.

As a partner in the educational decision-making process, your feedback and opinions are very important. Please take the time to review the document and provide feedback if at all possible by October 31, 2001. For the sake of clarity and accuracy, written responses by mail, fax or email are preferred. However, in the interest of making the process as accessible as possible, you can also provide feedback by telephone.

Please respond to:

Special Education Review Initiative
7–1577 Dublin Avenue
Winnipeg, MB R3E 3J5

Fax: 204-948-2291
Phone: 204-945-2392

Or email John VanWalleghem at: jovanwalle@gov.mb.ca

APPENDIX

List of Proposed Policy Changes

Appropriate Education

- Require that school boards will "provide for an appropriate education for each student" (in Section 41 of the *Public Schools Act*).
- Define "appropriate education" as the provision of educational opportunities that foster a student's participation in all aspects of community life during the school years and adulthood. This includes the provision, with supports, of either the provincial curriculum, the provincial curriculum with adaptations, the provincial curriculum with specialized personnel support, a redesigned provincial curriculum with personalized (modified or enriched) outcomes, or individualized programming.
- Require a written Individual Education Plan (IEP) that is formally reviewed at least annually when students need modified course content or individualized programming.
- Require meaningful involvement for the student and parents in the development and review of the Individual Education Plan.
- Require a resolution process for instances when there is disagreement about the Individual Education Plan, including both programming and placement issues. The resolution process should be founded on principles that emphasize consensus and relationship building but allow for timely resolution when consensus cannot be achieved.
- Require all school boards to develop policies and procedures consistent with the service standards outlined in policy.
- Include these broad standards in policy as a minimum base of service.

  Service Standards

  The following are intended to be broad standards to ensure that appropriate educational supports are provided to students with special needs. The standards reflect the base or minimum practices and services that shall be available to students with special needs in each school division/district in Manitoba. These standards follow from the department's priorities and its statement and principles of inclusion.

  - All preschool children identified with special needs that require instructional adaptations, specialized personnel, modified curricula, or individualized programming will have an early years transition plan developed for entry into school with multi-sectoral involvement as needed.

- All students who require modified curricula or individualized programming will have an IEP developed by the student support team (student, parents, teacher, and other involved support staff). The IEP will outline student specific outcomes, be implemented with a daily plan, and be reviewed on an ongoing basis with a formal evaluation occurring at least annually. The team will assign a coordinator for the IEP. Parents and the student will be meaningfully involved (consulted and encouraged to participate), approve the IEP by signing, and be provided a copy of the written IEP.

- All children with special needs will receive timely and appropriate supports to address their needs and enhance their opportunities to benefit from learning environments. (Areas of need to be considered include communication, academic, physical/accessibility, sensory, health and social/behavioural).

- Upon entering Senior Years or at latest by age 16, students with special needs that qualify for adult supports will have a transition plan developed and implemented to facilitate their transition from school to adult life and/or work. The date of graduation or departure from school will be determined by the transition planning team that includes parents, the student, and multi-sectoral members where appropriate.

- Programming decisions involving students with special needs will be based on appropriate and well-documented assessments. Parents will be involved throughout this process.

- Placement and/or learning environments will be determined by assessing a student's learning needs within the construct of the philosophy of inclusion, with the goal being the most enabling learning environment. Guidelines to be developed by the department will be considered in determining the need to change a student's placement.

- School Plans will include planning supports for students with special needs. The determination and assignment of supports (clinical, resource, paraprofessional, etc.) should reflect the profile and needs of students with special needs within the school.

- Parents will be informed of school division and school policies, procedures, communication protocols and contacts, and supports and services. Formal referrals will require informed parental consent. Parents will receive the information and support they need to facilitate participation in their child's education.

- All teachers, resource teachers, clinicians, etc. who work with students with special needs will possess required qualifications or develop a plan to meet the qualifications within a reasonable time.

- Roles and Responsibilities for school divisions, schools, parents, students and the department will be determined later.

- Define "student services" as including supports for those students who require the following:
  - Personalized adaptations (special equipment, transportation, teaching methods, assessments, organizational strategies, time allotments, physical or social environments, etc.);
  - Personnel supports beyond the classroom teacher in order to participate in the provincial curriculum (resource teacher, guidance counsellor, clinicians, therapists, teacher assistants, nurses, etc.);
  - Redesigned (modified or enriched) content in their academic courses; or
  - Individualized programming.
- Delineate key student services functions for which school boards must make provision, some of which include the following:
  - Ensuring the division/district respects the role of students and parents in the Individual Education Plan (IEP) process;
  - Creating and maintaining a continuum of supports for students with special needs;
  - Supporting the process for resolving disagreements about the Individual Education Plan;
  - Coordinating and implementing a division/district outcomes-oriented plan for student services.
- Publish guidelines for making decisions about instructional environment (placement) with an emphasis on inclusion and providing the most enabling environment.

Other

- Change the title of "Special Education Coordinator" to "Student Services Administrator" in legislation and regulations.
- Require that the impact of any disability be considered when taking disciplinary actions, including expulsion and suspension.
- Develop guidelines for considering disability in disciplinary decisions.
- Develop guidelines for integrating planning for student services within School and Division/District Plans.